REMARKS

This Request for Reconsideration is responsive to the official action dated January 2, 2009. Claims 1-18 were pending in the application. In the official action, claims 1-18 were rejected. Claims 1-18 thus remain for consideration.

Applicants submit that claims 1-18 are in condition for allowance and request withdrawal of the rejections in light of the following remarks.

§102 and §103 Rejections

Claims 1-5, 8-13, and 16-18 were rejected under 35 U.S.C. §102(e) as being anticipated by Sun et al. (U.S. Patent Publication No. 2004/0145602).

Claims 6, 7, 14, and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sun in view of Niikawa (U.S. Patent No. 6,757,479).

Applicants submit that the independent claims (claims 1, 8, 9, and 16-18) are patentable over Sun and Niikawa (collectively "the cited references").

Applicants' invention as recited in independent claim 1 is directed toward an information processing device. The claim recites "classifying means for classifying [a file stored in the device] according to information concerning the date of creation of the file in the case that [it is determined] that the file was created by the device, and for classifying the file according to information concerning the date the file was obtained in the case that [it is determined] that the file was obtained from a source external to the device." Claims 8, 9, and 16-18 include similar recitations. Thus, each of Applicants' independent claims specifies that classifying a file stored in a device requires distinguishing between files that are created by the device and files that are obtained from a source external to the device.

Neither of the cited references discloses the quoted recitation. In particular, Applicants wish to comment on the Sun reference.

Sun discloses that a computer classifies input photos according to "digital time information," "printed time information" or "storage time information." (See Sun Fig. 5.) More specifically, Sun first determines whether or not an input photo contains digital time information. If so, Sun classifies the photo using the digital time information. If not, Sun determines whether or not the input photo contains printed time information, and if the photo does contain printed time information Sun classifies the photo using the printed time information. If the input photo contains neither digital time information nor printed time information, Sun classifies the photo using file storage time information. Thus, <u>Sun's classification does not require distinguishing between files that are created by a device and files that are obtained from a source external to the device</u>.

Since neither of the cited references discloses Applicants' classifying recitation, Applicants submit that the independent claims are patentable over the cited references – taken either individually or in combination - on at least this basis.

Further, since dependent claims inherit the limitations of their respective base claims, Applicants believe that dependent claims 2-7 and 10-15 are patentable over the cited references for at least the same reasons discussed in connection with the independent claims.

Applicants respectfully submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited. If any issues remain, or if the Examiner has any further suggestions, he/she is invited to telephone the undersigned at (908) 654-5000.
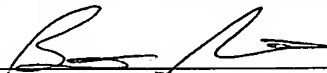
The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.

The Examiner's consideration of this matter is gratefully acknowledged.

Dated: March 19, 2009   Respectfully submitted,

By_____
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